

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HIGHLAND TANK & MFG. CO.,)	Civil Action No. 04-100J
)	
Plaintiff,)	
)	
vs.)	THE HONORABLE KIM R. GIBSON
)	
PS INTERNATIONAL INC.,)	
)	Electronically Filed
Defendant)	

**DEFENDANT’S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT
AND RELATED CLAIM CONSTRUCTION OF U.S. PATENT 4,722,800**

Defendant, PS International, Inc. (“PSI”), files the within Motion for Summary Judgment of Non-Infringement and Related Claim Construction of U.S. Patent 4,722,800. For the reasons set forth in Defendant’s Memorandum in Support of Motion for Summary Judgment of Non-Infringement and Related Claim Construction of U.S. Patent 4,722,800; Defendant’s Concise Statement of Undisputed Facts in Support of Motion for Summary Judgment of Non-Infringement and Related Claim Construction of U.S. Patent 4,722,800; and Defendant’s Appendix in Support of Motion for Summary Judgment of Non-Infringement and Related Claim Construction of U.S. Patent 4,722,800 (all filed under seal), which are incorporated herein by reference as if set forth at length, PSI respectfully submits that Count I of Plaintiff’s Amended Complaint (Doc. No. 13) should be dismissed in its entirety, with prejudice.

Respectfully submitted,

PIETRAGALLO GORDON ALFANO BOSICK &
RASPANTI, LLP

Dated: May 30, 2008

By: /s/ Eric G. Soller
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CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to the following:

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By: /s/ Eric G. Soller
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One of the Attorneys for PS International, Inc.